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## Subject

Philadelphia Inquirer: EPA cherry-picked  
water-test data, gas company says

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## Ex. 5 - Deliberative

## EPA cherry-picked water-test data, gas company says

[http://articles.philly.com/2012-01-31/news/31008614\\_1\\_public-water-shawn-m-garvin-water-wells](http://articles.philly.com/2012-01-31/news/31008614_1_public-water-shawn-m-garvin-water-wells)

In the latest salvo over Marcellus Shale gas drilling in the embattled town of Dimock, a natural-gas company on Tuesday alleged that federal regulators had cherry-picked old test data to distort the amount of contamination in drinking-water wells.

Cabot Oil and Gas Co., whose drilling was blamed for the pollution, said that the drinking-water tests the U.S. Environmental Protection Agency used to justify its Jan. 19 order to deliver fresh water supplies to four Dimock residences "do not accurately represent the water quality" and are inconsistent with the body of data collected at the residences.

Cabot disputed the EPA's finding that the water well of one house had excessive levels of arsenic, a naturally occurring carcinogen. Cabot said none of the four houses had high levels of arsenic. It said the data that EPA cited apparently came from a test of a public water system, unrelated to well-drilling.

Another house had elevated sodium levels, but Cabot said EPA cited data from a 2008 test when the residence had in place a water-softening system, which treats water by adding sodium. Cabot said more recent tests show a range of sodium that is less than the public water the EPA started delivering to the four residents this month by truck.

"Based on this re-examination, it appears that EPA selectively chose data on substances it was concerned about in order to reach a result it had predetermined," the company said in a statement posted Tuesday on its website.

Terri White, a spokeswoman for the EPA's regional office in Philadelphia, said the agency was reviewing Cabot's response and "will respond accordingly."

Cabot's statement raises the stakes in a legal and public-relations battle over Dimock, which anti-drilling activists describe as ground zero in their effort to halt shale-gas development and hydraulic fracturing.

The EPA's intervention in Dimock this month cast doubt on the judgment of the Pennsylvania Department of Environmental Protection, which had cited Cabot for contaminating water wells of 19 Dimock homes three years ago but said the company had met the terms of a 2010 settlement and allowed it to halt water deliveries to residents on Dec. 1.

Federal regulators at first declared that the water posed no health risk, but some residents who are engaged in a federal lawsuit against Cabot said their water still is unsafe. EPA reversed course on Jan. 19, saying it would deliver water to four houses and conduct its own water sampling of 61 homes in the rural Susquehanna County town.

"We believe that the information provided to us by the residents deserves further review, and conducting our own sampling will help us fill information gaps," EPA regional administrator Shawn M. Garvin said at the time.

Kate Sinding, a Natural Resources Defense Council attorney, said Cabot's previous water tests are in dispute, and she endorsed the EPA's decision to conduct its own round of tests.

Cabot has denied contaminating the wells. "There's been a ton of misinformation out there, and we're trying to straighten the record out," said Cabot spokesman George Stark.

Cabot said the residents whose water showed elevated levels of sodium and manganese declined its offers to install \$30,000 water-treatment systems that could have removed most of the contaminants.

Under a settlement with the state, Cabot was required to offer the treatment systems to 19 residents, along with payments up to \$399,000, based on twice their homes' assessed values.

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